

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ) CASE NO.: 17-15608-JKF  
)  
TERESA CRUZ and FRANCISCO )  
ROSA, )  
Debtors ) CHAPTER 13

STIPULATION

COME NOW, this       day of       , 2018, Debtors, Teresa Cruz and Francisco Rosa, by and through their attorney, David M. Offen, Esquire, and Capital One Auto Finance, a division of Capital One, N.A. ("COAF") by and through its attorney, Mester & Schwartz, P.C., hereby stipulate the following terms of settlement of the Objection to Confirmation of Chapter 13 Plan:

WHEREAS the Debtors own a 2005 TOYOTA Highlander-V6 Utility 4D 4WD, V.I.N. JTEEP21A750109756 ("vehicle"); and

WHEREAS COAF has a lien on the vehicle; and

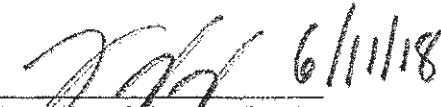
WHEREAS the Debtors have filed a Chapter 13 plan providing for payment of the vehicle through the plan; and


WHEREAS COAF has filed an Objection to Confirmation; and


WHEREAS the Debtors and COAF seek to resolve the Objection to Confirmation; it is hereby stipulated and agreed that:

1. The value of the 2005 TOYOTA Highlander to be paid through the Plan is \$8,600.00.
2. The value of the vehicle shall be paid through the Plan at 5.25% interest for sixty (60) months. The payments will total \$9,796.79 and COAF shall have a total secured claim in that amount.

3. The balance of any claim shall be a general unsecured claim.
4. This agreement is only binding upon the parties in this instant Chapter 13 case. If not paid in full within this instant Chapter 13 due to dismissal or conversion, this agreement is not binding upon the parties.
5. A faxed signature shall be treated as an original signature for purposes of this Stipulation.


  
Jason Brett Schwartz, Esquire  
Attorney for COAF  
Mester & Schwartz, P.C.  
1333 Race Street  
Philadelphia, PA 19107  
(267) 909-9036  
Dated:

  
David M. Offen, Esquire  
Attorney for the Debtor  
The Curtis Center  
601 Walnut Street, Suite 160 West  
Philadelphia, PA 19106  
(215) 625-9600  
Dated:

  
Frederick L. Reigle, Trustee  
2901 St. Lawrence Avenue  
P.O. Box 4010  
Reading, PA 19606  
(610) 779-1313  
Dated:

SO ORDERED  
BY THE COURT:

DATE: June 19, 2018

  
Jean K. FitzSimon  
U.S. Bankruptcy Judge